

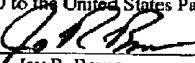
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Alvin Kershman
Serial No: 09/912,219
Filed: July 25, 2001
For: FARINACEOUS SURFACE PRODUCT THAT IS
TOASTER REHEATABLE AND METHOD

)
) Examiner: Thuy Tran Lien
)
) Art Unit: 1761
)
) Attorney Docket: SK-3
)
) Date: May 18, 2004
)

CERTIFICATE OF FAXING I hereby certify that this correspondence is being FAXED to the United States Patent Office on May 18, 2004.

Signed: 
Jay R. Beyer

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated December 18, 2003 of the Examiner rejecting Claims 1-53.

The item(s) checked below are appropriate:

The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(e):
 a. other than small entity: fee \$ 330.00
 b. small entity: fee \$ 165.00

A petition under 37 C.F.R. § 1.136 for a _____ mo. extension of time for reply to the rejection is enclosed along with a check (\$ _____) for the fee for the extension of time.

Please charge my Deposit Account No. 19-1685 (Order # SK-3) the amount of \$ 330 for the Notice of Appeal fee. A duplicate copy of this sheet is enclosed.

If any additional fee is required, please charge Deposit Account No. 19-1685 (Order # SK-3). A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Jay R Beyer
Reg. No. 39,907

PATENT

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Serial No: 09/912,219) Art Unit: 1761
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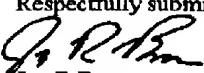
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PRITZKAU PATENT GROUP LLC

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Broomfield, CO 80020AttorneysMichael Pritzkau
Phone: 303-410-9254Patents, Trademarks, Copyrights & Related Intellectual
Property MattersStephen Shear
Phone: 303-661-0901

Fax: 303-410-9258

MAY 18 2004

OFFICIAL

Patent AgentsJay Beyer
Phone: 303-499-3859Yoriko Morita
Phone: 303-673-9993FACSIMILE TRANSMITTAL SHEET

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To Examiner Lien Tran
USPTO

From Jay Beyer
Pritzkau Patent Group

Number of Pages (including cover) 25

Date Sent May 18, 2004

Fax #: 703-872-9306

Message

Response to Final Office Action
Please deliver to examiner Lien Tran immediately.

Examiner Lien Tran,

Please enter the following documents into the file for application serial number 09/912,219. The following documents include:

Fax cover sheet	1 page
Amendment C After Final Transmittal (in duplicate)	2 pages
Amendment C After Final	17 pages
Supplemental Declaration	3 pages
Notice of Appeal (in duplicate)	2 pages

Total Pages 25 pages

If there are any questions regarding this fax, please call Jay Beyer at 303-499-3859.

Sincerely,

Jay Beyer

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Signed: 
 Jay R. Beyer

ASSISTANT COMMISSIONER OF PATENTS
 Washington, D.C. 20231

SIR: Transmittcd herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established
 No additional fee is required.
 Postcard included

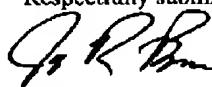
The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	NON-SMALL ENTITY
	Claims Remaining		Previously Paid For	Present Extra	
Total Claims	*53	Minus	**51	0	
First Presentation of Multiple Dependent Claim(s)					
				Rate	Additional Fee
				x 9	\$ 0
				x 42	\$ 0
				+140	\$ 0
				Total	\$ 0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- Applicant(s) hereby Petition(s) for an Extension of Time of 2 month(s) pursuant to 37 C.F.R. § 1.136(a).
- Please charge my Deposit Account No. 19-1685 (Order No. SK-3) the amount of \$ 750.00 to cover the two month extension of time fee(\$420) and the Notice of Appeal Fee (\$330).
- A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1685 (Order No. SK-3) (a duplicate copy of this sheet is enclosed):
 - Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
 - Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,



Jay R Beyer
 Registration No. 39,907

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The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	NON- SMALL ENTITY
Total Claims	*53	Minus	**51	0	
Indep. Claims	+7	Minus	***7	0	
First Presentation of Multiple Dependent Claim(s)					
				Rate	Additional Fee
				x 9	\$
				x 42	\$
				+140	\$
				Total	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

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